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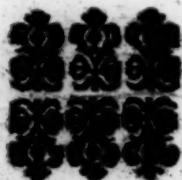
A REPRESENTATION

Concerning the late

PARLIAMENT,

In the Year, 1654.

To prevent Mistakes.



Printed in the Year, 1655.

A

REPRESENTATION

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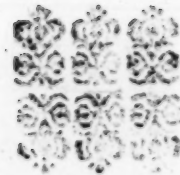
ETHNOLOGICAL TRACTS

Concerning the late


PARLIAMENT

In the Year 1854

To the Hon. Mr. John



Printed in the Year 1855


 Debate is the worst work that can suit with these times, wherein 'tis the general businesse of man to add fewel to the fire. Yet, if it be rightly Moderated, it is the Mother of Truth, Grandmother of Peace, and Nurse of an Honourable name; all which now wrapped up in these present distempers, it becomes every Honest man to clear them forth to right understanding, without passion, pride, or by respects. Nor is it the least of the Calamities that do oppresse ingenuous mindes, that over and besides the particular scandals and imputes, Cast upon private persons; even those that profess the feare of God, suppose themselves at liberty, without touch of conscience, to speak evil of the whole Body of the people in *Constituted Parliament*, as if it were *Regardlesse of Religion, oppressive to tender Consciences, ambitious to bring all into Bondage, and to ruine Christs Kingdom.* All which they ground upon this principle, That 'tis founded upon the peoples Election; and they for the most part naught, the Parliament must needs be futable.

It's a shrewd Argument (I confesse) if God be left out of the Case: for then, *Homo Homini Lupus*, man will be a Wolfe to man. But 'tis within the compasse of ordinary Providence observable, that in all places and Countries where common Civility beareth rule, there is a constant provision of Lawes, and administration of them maintained, in order to the continuance of civil Government: Much more where God pitcheth his Name to dwell, and hath promised both Laws and Counsels, such as may be for his own honour, and the good of his people, that promise may be rested upon.

And so hath Providence been in a continuall stream unto this Nation; for if the Statutes and Parliament proceedings be examined, I dare affirme it will be manifest, that no one Parliament (considering the then present posture of Affairs) was ever left by God so far as to permit them to oppresse tender Consciences, to oppose Religion, to be perpetuators of their own Authority, or be willingly burthensome to the people.

B

I should

I should insist longer hereupon, did I not consider the ends that these men may have out of the particular relations that they are in : 'Tis true, they may pretend to advance Magistracy when they are in power, or do pretend thereto ; and speak of regulating Ministry, and the Law, and Parliaments (because they are like still to be above their tops, and regulate them) . or if they cannot prevail so far, then to bring them into publick flight or disgrace, that themselves may remain in highest esteem.

What other Parliamentary Assemblies have formerly met with in this kinde, is not my work to remember, nor to examine: That which lies next the sense of these times, is the last of all ; which hath had as large a portion of that kinde of entertainment as any of the rest, if not more ; and I am certain, more then its due. For the clearing whereof, (being in conscience bound thereto as to vindicate truth) I shall a little look back to the condition wherein affairs stood at their first Summons.

After that *England* had tasted the Government by Parliament for some yeers ; first in its own name, after in the name of the Keepers of the Liberties of *England* ; that aeriall Title (as it hath been called) before that Government arrived at its maturity, became distastfull ; rather (as I conceive) because it promised much, then performed little ; and so (to make way for another Power) was laid aside ; albeit it might have seemed more safe for the people to expect under that shadow in rest, untill a more compleat form of Government whereupon they might settle, should appear ; rather then to adventure through thick and thin, to finde out a *Terra incognita* in the conclusion.

But it was a hidden providence that over-ruled, by letting loose a power to dissolve that Parliament : And the same being so dissolved, that power with authority is supposed to reside in one person boundlesse as it was ; *He being by Act of Parliament*
 2. Speech *General of the forces of three Nations, of England, Scotland, and*
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city: and by the dissolution of the Parliament the supreme authority was in abeyance in the people, and could not (either by descent, survivorship, or other purchase) in right fall upon that *One*, or any one, without the peoples Vote leading the way thereto.

But *Providence* over-rules that matter also; and that *One* undertakes the Authority and Civill power, Calls a Parliament (not as a Representative of the people of three Nations; but, as may be conceived, a Representative of certain Churches congregated) and the supreme power is put upon them by this *One*: But they also are broken (as it were) without hands. And the broken pieces thereof, at severall times subscribing an Instrument of Resignation (in a private place) of that authority, (which they then being asunder, never had) to that *One*, who had as much before; and thereupon that *One* concludes that his *Authority* againe by this Resignation was boundlesse and unlimited, All things subjected to Arbitrarinesse, All Government dissolved, All civil Administrations at an end, Nothing left to keep things in order, but the Sword. And if all were thus, then also was the Commission of the Generals place at an end, and he no General in right, nor hath he any power; and therefore it was necessary that the same power that laid all down, must build up somewhat, unlesse it meant to ruine it self also. What other Grounds of necessity there were, they may best declare that know.

Thus this *One* became concerned and made capable of a Name, into which yet he was not baptised, till after three or four dayes, a paper (since known by the name of The Government) is brought to that *One* (as the matter shewes) rather from the *Camp*, then from the *Mount*, framed for the government of three Nations in one; in order to the Souldier, rather then the People: for (whatever the other Nations had) *England* was already possessed of known Lawes by long approbation, which they liked well, and were never abrogated, either by Forfeiture, Conquest, or otherwise.

This paper, that *One* (that hee might be the onely *One*) submits to govern by; and so he becomes that *One*, by agreement between him and severall persons of Interest and Fidelity (as is said) in this Common-wealth, and Officers of the Army,

1. Speech
p. 13.

See the
Oath.

and by their desire and advice. And thus is the Title to the Government formed ; and thenceforth is this *One* become named, PROTECTOR, and endowed with an Authority never formerly knowne. And (to girt this garment close unto him) he voluntarily, and *ex abundanti*, did bind himselfe by Oath to governe accordingly ; which by any Direction in that Paper of Government he never was engaged to insist upon.

This Oath was taken in a publick place in *Westminster Hall*, in the presence of all that were then present ; none of them all gainsaying, whoever they were that gave the Plaudite. Witnesses no question there were, more then enough, of the submission of those then present to this *One*, as to the chief Person in power within these three Nations. But doth this bind the whole body of the People ? Doubtless not ; nor is the mind of this *One* satisfied therewith.

We are minded of his Reception into *London* in a solemne Festival. The Lord Comissioners of the Great Seal and Judges and Justices of the Land accepting Power from him for Administring of Justice. Divers papers (testifying Recognition of his Power) from several Cities and Corporations, and from the Grand Jury in *Yorkshire*. And lastly, all the three Nations, Elections and Returnes of Members to serve in Parliament, in obedience to his Writs, and the sitting of such in Parliament in pursuance of that Power, and many blessed effects of Gods providence following the same.

Here's enough and more then enough to tell all the three Nations, that they do acknowledge him to have the Chief Power ; but not one syllable in all this doth sound any whit of submission to the Government ; the Reception of the Protector is one thing, and of the Government another. For though it be true, that the Government was read publicly at the time of the taking of the Oath ; and doubtless many heard the same, and understood as much thereof as is to be understood at one reading, without further illumination from that spirit that made it ; yet their presence at that time was not required to assent or dissent in the behalf of the people of three Nations, unto the Government then read ; but to adde to the publick solemnity with their presence.

Secondly, It is true, That the Government was sent down to the

the severall Countries and Places; severall reasons were in supposal, none knew the certainty. Those of them that understood the word, *Protector*, well hoped his Power was to protect them in their ancient Liberties and Lawes (as the Keepers of the Liberties had formerly done) and those cared for no more. And of those that looked into the Government, some wondred what it meant: Others supposed them to be Proposals to be considered by the Parliament: Some (observing the Oath) feared that the whole as it was, was to be imposed upon the People. but others upon the same ground inferred the contrary, because by the Government the Protectors Legislative Power was limited and directed. But as touching the Government it self, it seemeth to be made neither by Protector, Council, nor Parliament, but by an unknown Law-giver: and there being not one clause therein that enacteth or declareth the same; by the very Oath is the Protector bound not to impose the same, but by the Peoples consent; nor are they bound thereunder, unlesse the same be concluded by their Representative in Parliament. It may seeme therefore that the same is but an agreement betweene Persons unknowne, and the Generall of the Army; or else betweene the General of the Army that was, and the Protector that was to be, what Powers he should use to govern by: and being that the same was engaged unto by Oath, the same (it seems) was perfect and compleated thereby, or otherwise (which I cannot conceive in such Profession) the Oath was rash and vain.

Thirdly, As touching Election, and fitting of Members in Parliament, by vertue of Writs of Summons from the Protector, it cannot be denied, but Witnesse thereby is given to the Power of the Protector to summon Parliaments, which have beene done by great men, that neverthelesse had no Supreme Power nor claimed any.

Lastly, The blessed effects that are mentioned, questionless are Blessings of infinite Goodnesse, and ample Testimonies of Gods Mercy under the Protectors Government; and his Endeavors as a meanes under God are to be acknowledged of all true English men with an honourable respect: but that they are Effects of the Forme of Government so earnestly contended for, is so far wide from all Divinity and Reason, as nothing can

can be more : For prosperity may betide in an evil way, and yet no effect thereof, no not so much as adversity of a good way (which may be occasioned thereby.) But between the Form of Government and the Blessings mentioned, there is no Relation, no not so much as between the Subject and Adjunct, and therefore there is not much in that Witnesse to confirm the excellency of the form of Government, or Gods approbation thereof as is pretended.

^{2 Speech}
^{f. 29.} And it may seem that the Protector's mind was neither yet so fully satisfied ; somewhat is glanced upon by the word *Stipulation* : Concerning which he saith, *That it hath been done on one part, and that fully accepted, and surely a return ought to be* : and thereupon urgeth, that the concurrence of the Parliament ought to be to the Government, *Or else what doth that stipulation signifie ?*

And hereunto I shall answer, That it signifies nothing : its no stipulation at all till both parties agree ; the Lawyers will bear witnesse to that : and if the Parliament refuse agreement without reason, the blame must have lighted upon them ; but God not permitting the matter to come to the trial, no such impute can be charged upon them.

^{3. Sp. p. 5} But it seems that the Parliament was mistaken in meddling with the Government, *They should have left that as they found it, and betake themselves to provide Remedy against grievances.*

If they were mistaken, they were led thereinto by the Lord Protector's own words, in his first Speech minding them of it, and commending it to them (as was conceived) to gain the Parliaments approbation thereof, which must have been done Explicitely or Implicitely, and either way could not be undertaken without taking the Government into consideration upon debate. And when the House was assembled upon Munday, the first Motion being against the Book in print ; the second, that spake to avoid debate upon the Book, moved, That a Committee might be named to frame Proposals to bee made to the Protector. But that was waved also by divers eminent persons of State that succeeded immediately each after other, all of them insisting, that it may be doubted, whether all the Members present were upon one foot ; or (as others said) upon one foundation ; and thereupon a Question was framed and put

put for the approving of the Lord Protectors Power ; wherein of necessity the Book must have come into consideration, in the debate whereof (principally upon the wording of the Question) if any plainnesse or bluntnesse of speech were, possibly the same was represented to the Protector in a worse sense then the same was intended, and so might occasion that check so often mentioned, and which (if God had so ordered it) might have been better if it had been a Mate to the whole House, as it proved to many of the Members.

The sense of this check manifested in the Speech, then made by the Protector, was not for meddling with the Government, but for trenching upon that first Principle of the Government, by One and a Parliament, contrary to the Writ of Summons and Indentures of Return ; and thereupon the Engagement was framed, and in that sense subscribed.

And as touching this sense, let the Speech it self in print speak, wherein the whole Government is divided into Circumstantial and Fundamentals. And as touching the Circumstantial his words are, *The Circumstantial I shall easily agree to vary or leave out, as I shall be convinced by reason.* And as to the whole he saith, *I for my part shall be willing to be bound more then I am in any thing, that I may be convinced of, may be for the good of the People, in preservation of the Interest and Cause contended for.* He offers himself then to be convinced by reason, which cannot be without debate, and consideration had thereby of the Circumstantial, and of the whole ; and then it were worth the Scrutiny, How this could be, and the Government left as it was found. 2 Sp. p. 28

Neither was this the sense of one, or a few ; for after the check put upon the House, those that returned notwithstanding into the House, proceeded on in their course as formerly, and were so far from desisting to meddle with the Government, that they called for the Record thereof out of the Chancery, and purposely debated the same from point to point, and varied from the same in their Votes, as they saw Cause, no man interrupting them: and their example was propounded by some well knowne to the Protector for Council, as an encouragement unto others, that with-drew upon the check received, to the

the intent that they also might returne to the work, as many had done. I shall conclude therefore, it was the general sence both of the Protector and the Parliament, That the said Government should not be left aside without consideration; but that the Parliament should alter such matters, as by reason the Protector should be convinced of to deserve alteration.

But the House might have answered the Grievances, for which they should have thanks from all that intrusted them.

It is very true: but (though it might bee their weaknesse) many were of opinion, that the Government was the first and greatest grievance of all the rest; for to what purpose can Lawes serve to help grievances, when as they are all under the Protector's cognizance to determine whether they be not contrary to somewhat contained within the Government? and so nothing shall be Law, unless he will.

He speaketh furthermore, *That the Parliament might have proceeded to make wholsome Lawes, which the People expect from them.* And in his second Speech saith, *You (meaning the Parliament)* P. 35. *have an absolute Legislative Power in all things that can possibly concern the good and interest of the Publick.* These are good words, if true; but come to particulars, and consider of Religion, the Militia, and Money, besides other things, all these are concerning the good of the Publick, and yet not one of them but under the absolute Legislative Power of the Protector and the Council, as daily experience maketh manifest.

3 S. p. 3. The second thing charged upon the Parliament, *That they had no heart to invite England to sing a Song of thanksgiving to God for those Appearances and Providences, not to be matched in Story.*

It is a very high strain of Government that his Highnesse is arrived at, not only to impose Lawes for the outward man, but to sit as a Judg upon the hearts of so many (for many of whom he is so well perswaded to lay down his life) so as to conclude the most, if not all of them under unthankfulness. It is very true, we are all unthankful, the Lord give us repentance thereof, and forgiveness, and raise up our hearts to a right entertainment of his Mercies. Neverthelesse, it had been
be.

becoming an humble Christian, not to have cast the first stone unlesse himself had been without sinne. But wherein consists this unthankfulnesse? Is it in taking into consideration the Government? Now if that same Government, that Government I say, be a foundation of oppression to the people, and the Parliament be the peoples Trustees (as he calleth them) I humbly beseech him, that as he hath upbraided them for unthankfulnesse, to instruct them wherein they have declared so much to his observation.

And yet there is not enough; somewhat is done that looks like a Paricide, or not owning that Authority that called you hither. And certainly, if he had been so mindful of the Priviledges of the House, as hee was afterward; hee would have seene somewhat presented from the House, before he would have charged the whole House with so unnatural a Crime. And yet he formerly hath spoken not as one that assumes to himselfe Dominion over you, but as one that doth resolve to be a fellow servant with you. 1 Sp. p. 33

The next fault of the Parliament is delay, which is charged with its aggravations. First, That since the Recognition, it hath been without any interruption from him.

The truth hereof, as to the matter of Fact, I shall shortly thus state:

That after nigh two months was spent at the Grand Committee, in framing severall Articles, in order to a Bill for Government, it was about the beginning of November before the House assumed the Debate of that, which was brought in from the Committee into the House. And about the latter end of November, the subject matter befalling to be concerning the Government of the standing Forces after the death of the present Lord Protector; The Vote of the House crossed the expectation of some men of eminent Rank, and discontent was taken and observed, and within a few dayes information from without doors (as they phrase it) came to divers Members, that it was determined to hold the House in debate without suffering a conclusion until the set time of five months were wasted, and then to dissolve; although (to be plain) it was expected rather that the

A

REPRESENTATION

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ENGLISH HISTORICAL TRACTS

Concerning the late


PARLIAMENT

In the Year 1654.

To James M. Baker



Printed in the Year 1655.


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Secondly, It is true, That the Government was sent down to the

the severall Countries and Places; several reasons were in supposal, none knew the certainty. Those of them that understood the word, *Protector*, well hoped his Power was to protect them in their ancient Liberties and Lawes (as the Keepers of the Liberties had formerly done) and those cared for no more. And of those that looked into the Government, some wondred what it meant: Others supposed them to be Proposals to be considered by the Parliament: Some (observing the Oath) feared that the whole as it was, was to be imposed upon the People. but others upon the same ground inferred the contrary, because by the Government the Protectors Legislative Power was limited and directed. But as touching the Government it self, it seemeth to be made neither by Protector, Council, nor Parliament, but by an unknown Law-giver: and there being not one clause therein that enacteth or declareth the same; by the very Oath is the Protector bound not to impose the same, but by the Peoples consent; nor are they bound thereunder, unlesse the same be concluded by their Representative in Parliament. It may seeme therefore that the same is but an agreement betweene Persons unknowne, and the Generall of the Army; or else betweene the General of the Army that was, and the Protector that was to be, what Powers he should use to govern by: and being that the same was engaged unto by Oath, the same (it seems) was perfect and compleated thereby, or otherwise (which I cannot conceive in such Profession) the Oath was rash and vain.

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2 Speech
p. 29.

And it may seem that the Protectors mind was neither yet so fully satisfied; somewhat is glanced upon by the word *Stipulation*: Concerning which he saith, *That it hath been done on one part, and that fully accepted, and surely a return ought to be*: and thereupon urgeth, that the concurrence of the Parliament ought to be to the Government, *Or else what doth that stipulation signifie?*

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3. Sp. p. 5

But it seems that the Parliament was mistaken in meddling with the Government, *They should have left that as they found it, and betake themselves to provide Remedy against grievances.*

If they were mistaken, they were led thereinto by the Lord Protectors own words, in his first Speech minding them of it, and commending it to them (as was conceived) to gain the Parliaments approbation thereof, which must have been done Explicitely or Implicitely, and either way could not be undertaken without taking the Government into consideration upon debate. And when the House was assembled upon Munday, the first Motion being against the Book in print; the second, that spake to avoid debate upon the Book, moved, That a Committee might be named to frame Proposals to bee made to the Protector. But that was waved also by divers eminent persons of State that succeeded immediately each after other, all of them insisting, that it may be doubted, whether all the Members present were upon one foot; or (as others said) upon one foundation; and thereupon a Question was framed and put

put for the approving of the Lord Protectors Power ; wherein of necessity the Book must have come into consideration, in the debate whereof (principally upon the wording of the Question) if any plainnesse or bluntnesse of speech were, possibly the same was represented to the Protector in a worse sense then the same was intended, and so might occasion that check so often mentioned, and which (if God had so ordered it) might have been better if it had been a Mate to the whole House, as it proved to many of the Members.

The sense of this check manifested in the Speech, then made by the Protector, was not for meddling with the Government, but for trenching upon that first Principle of the Government, by One and a Parliament, contrary to the Writ of Summons and Indentures of Return ; and thereupon the Engagement was framed, and in that sense subscribed.

And as touching this sense, let the Speech it self in print speak, wherein the whole Government is divided into Circumstantials and Fundamentals. And as touching the Circumstantials his words are, *The Circumstantials I shall easily agree to vary or leave out, as I shall be convinced by reason.* And as to the whole he saith, *I for my part shall be willing to be bound more then I am in any thing, that I may be convinced of, may be for the good of the People, in preservation of the Interest and Cause contended for.* He offers himself then to be convinced by reason, which cannot be without debate, and consideration had thereby of the Circumstantials, and of the whole ; and then it were worth the Scrutiny, How this could be, and the Government left as it was found. 2 Sp. p. 28

Neither was this the sense of one, or a few ; for after the check put upon the House, those that returned notwithstanding into the House, proceeded on in their course as formerly, and were so far from desisting to meddle with the Government, that they called for the Record thereof out of the Chancery, and purposely debated the same from point to point, and varied from the same in their Votes, as they saw Cause, no man interrupting them: and their example was propounded by some well knowne to the Protector for Council, as an encouragement unto others, that with-drew upon the check received, to the

the intent that they also might returne to the work, as many had done. I shall conclude therefore, it was the general sence both of the Protector and the Parliament, That the said Government should not be left aside without consideration; but that the Parliament should alter such matters, as by reason the Protector should be convinced of to deserve alteration.

But the House might have answered the Grievances, for which they should have thanks from all that intrusted them.

It is very true : but (though it might bee their weaknesse) many were of opinion, that the Government was the first and greatest grievance of all the rest; for to what purpose can Lawes serve to help grievances, when as they are all under the Protector's cognizance to determine whether they be not contrary to somewhat contained within the Government? and so nothing shall be Law, unless he will.

He speaketh furthermore, *That the Parliament might have proceeded to make wholsome Lawes, which the People expect from them.* And in his second Speech saith, *You* (meaning the Parliament) *have an absolute Legislative Power in all things that can possibly concern the good and interest of the Publick.* These are good words, if true; but come to particulars, and consider of Religion, the Militia, and Money, besides other things, all these are concerning the good of the Publick, and yet not one of them but under the absolute Legislative Power of the Protector and the Council, as daily experience maketh manifest.

3 S. p. 3. The second thing charged upon the Parliament, That *they had no heart to invite England to sing a Song of thanksgiving to God for those Appearances and Providences, not to be matched in Story.*

It is a very high strain of Government that his Highnesse is arrived at, not only to impose Lawes for the outward man, but to sit as a Judge upon the hearts of so many (for many of whom he is so well perswaded to lay down his life) so as to conclude the most, if not all of them under unthankfulnesse. It is very true, we are all unthankful, the Lord give us repentance thereof, and forgiveness, and raise up our hearts to a right entertainment of his Mercies. Neverthelesse, it had been be.

becoming an humble Christian, not to have cast the first stone unlesse himself had been without sinne. But wherein consists this unthankfulnesse? Is it in taking into consideration the Government? Now if that same Government, that Government I say, be a foundation of oppression to the people, and the Parliament be the peoples Trustees (as he calleth them) I humbly beseech him, that as he hath upbraided them for unthankfulnesse, to instruct them wherein they have declared so much to his observation.

And yet there is not enough; somewhat is done that looks like a Paricide, or not owning that Authority that called you hither. And certainly, if he had been so mindful of the Priviledges of the House, as hee was afterward; hee would have seene somewhat presented from the House, before he would have charged the whole House with so unnatural a Crime. And yet he formerly hath spoken not as one that assumes to himselfe Dominion over you, but as one that doth resolve to be a fellow servant with you. 1 Sp. p. 33

The next fault of the Paliament is delay, which is charged with its aggravations. First, That since the Recognition, it hath been without any interruption from him.

The truth hereof, as to the matter of Fact, I shall shortly thus state :

That after nigh two months was spent at the Grand Committee, in framing severall Articles, in order to a Bill for Government, it was about the beginning of November before the House assumed the Debate of that, which was brought in from the Committee into the House. And about the latter end of November, the subject matter befalling to be concerning the Government of the standing Forces after the death of the present Lord Protector; The Vote of the House crossed the expectation of some men of eminent Rank, and discontent was taken and observed, and within a few dayes information from without doors (as they phrase it) came to divers Members, that it was determined to hold the House in debate without suffering a conclusion until the set time of five months were wasted, and then to dissolve; although (to be plain) it was expected rather that the

House should have been dissolved forthwith.

This Information caused those that were for the altering of the Government in Debate, to speed their work what they could, by sitting the whole day, and part of the night also, from the former part of *December*, til the day of their Dissolution: during which time the former resolution of Debate was far more evident by long Speeches, redoubling of Debates, and the like; wherein so much time was lost, that the House would allow of no diversions, although many important occasions were offered. At length the Bill was finished, and the Question put for the passing the same, and for sending the same to the Protector, and upon that one Question, by reason of many provisoes interposing, it continued for nine or ten days space, til the five months was ended, and upon the day after (the Lords day not being accompted) the Question was renewed again, and when all the provisoes were finished, the Letter from the Lord Protector to call the House away, was immediately delivered to the Speaker.

Now whether the Lord Protector, or who else knew hereof, God and their owne consciences can best witnesse; and who they were that occasioned this delay.

Page 5. A second Aggravation is, that this delay was accompanied with a neglecting of the Lord Protector: *I know not what you have been doing; I do not know whether you have been alive or dead; I have not once heard from you all this time, I have not, and that you all know; if that be a fault, surely it hath not been mine.*

Strange assertions; not to be made good, but by subtil distinctions, tropes and figures, or mental reservations. *He knew not what the Parliament had been a doing.* Certainly, if Page 10. he had been altogether so nescient, the words of Debate concerning *Liberties*, and *Non Causa pro Causa*, would never have slipped his pen so often, and his determination upon the whole would never have been so positive; *Your time hath been spent in setting up somewhat else upon another bottom then this stands, that looks as if a laying grounds of a quarrel had rather been designed, then to give the people Settlement.* And verily, if he had known more, possibly the matter might not have deserved so sharp a censure: those therefore

advi-

advised ill, to dissolve the Parliament before their work was known or understood.

The next words, of being *alive or dead*, I think in charity should not be literally taken, but be considered with the next, as an Explanation of the sense: *I have not once heard from you all this time, I have not; and that you all know.* For my own opinion, I believe not one of them do know; but contrarily it was generally knowne, that he heard from the House four times during the sitting of the House. First, concerning the Fast: Secondly, the allowance of General *Venables* his Voyage. Thirdly, the allowance of the chief Officers. Fourthly, by a Committee concerning the demolishing of Garrisons, and reducing the Army to the settled number. Besides, one from a Committee of the whole House, by a Sub-Committee concerning Religion.

It is to be hoped therefore when his Highnesse hath taken due consideration hereof, he will not impute it as so great a fault of the House, that he hath not heard once from them in all this time.

But to take the words as spoken by one that would be glad to have heard from the House more often, and what concerneth the slighting of him herein; I shall refer the further answer to that charge of refusing conference, to avoid tedious tautologies.

In the next place, the same pen proceeds to the matter of Newes, which is recited as a bitter fruit of the Parliaments sitting; and thereupon concludes in general, *Dissettlement, Division, Discontent, Dissatisfaction, together with real dangers to the whole, hath been more multiplied within these five Months of your sitting, then in some years before.*

His Highnesse can charge home in the field, but at his pen is not so adventurous. He comes on bravely with an imputation, That *he fears will be through some interpretation a little too justly put upon the Parliament*: But then hee wheels about, *I will not say, you have cherished, that wers too hard.* And therefore I shall not trouble my way with any Apology for the Parliament herein, but shall leave it as a charge directly upon the enemies that he speaks of. Pag. 7

But as touching the reflection; that the Parliament admitted occasion thereof for want of settlement, *which* pag. 8. *with easie conjecture the enemies might take up and conclude.* It may well be said, I hope without offence, that it was easie for the Lord Protector, knowing his owne Resolves, to conclude: But that the enemies not knowing the Debates of the Parliament before hand, could easly determine therefrom to frame their Designes, appears not to ordinary understanding. For Parliaments have ever altered their Debates upon occasions, as better grounds thereby are immergent (as becomes wise men to do;) and therefore I may well say, this dispute is a *Non causa pro causa*; for divers Designes may concur in one time, and yet each of them independant upon other; the grounds may bee several, though disaffection may be the general cause of all. And therefore this kind of arguing is so far distant from right reasoning, that it favours rather of the old Disease of disaffection to Parliaments; whereof this last hath met with such store of expressions tending that way, as nothing in my opinion renders more sad and signall symptoms of ensuing misery to this Nation, then this, that their Cure should be accounted their Disease.

Three grounds are alledged of the enemies encouragement in their undertakings. 1. *The Parliaments delays.* 2. *Their not settling the Government as they found it.* 3. *Pamphlets publishing Votes.*

First, As to the Delays so often mentioned, these can be no ground of the enemies undertakings; for that the undertakings were long before any delays in the Parliament were or could be taken notice of.

Secondly, the Work of the Parliament, cannot in reason be charged with delays: for let the nature of the subject matter be considered (the particulars being matters Fundamental, many of which yet never passed under the character of written Law.) And it might be charitably judged, that sixty Articles of that nature, wherein are contained nigh two hundred Votes, once framed at the Grand

Grand Committee, then twice read and debated in the full House, and after some of them debated againe at the Grand Committee, then called for againe into the whole House, and read the third time; and then many particulars debated anew, and the whole concluded with divers provisoes debated, and fewer of them agreed upon, and the whole at the point of passing, to bee presented to the Protector; besides other Bills of Publick interest, and all this done in five Months: I say, it may be Charitably Judged that these are not effects of Delays.

The second cause of this easie conjecture, is the *Hopes* of the enemies, that the Parliament would not settle. *which* hopes afterwards are called *Assurance* of the Parliaments not agreeing the Government as they found it. *Hopes* may be vain and groundlesse, but *Assurance* cannot be: No demonstration was ever made by the Parliament to give them such assurance to ground such plots upon. For what if they should not agree to the Protector; possibly the Protector upon reason shew'd, might be convinced by them, and he might agree to them; and then, what is become of this easie Conjecture? But 'tis yet more strange, that the enemies should so easily conjecture no agreement, and should not also understand, that it was no part of the desire of the Protector or his Council, that the Parliament should meddle with the Government at all, seeing it was so strong upon its own Basis, and (as was said by an Oracle) other foundation can no man lay, then that which is already laid. So as whether agree, or not agree, the enemies could gaine no encouragement thereby to adventure their lives upon conceits that possibly might never come to pass.

The third ground of such easie Conjectures was, from *Pamphlets*, mentioning *Strange Votes*, and *Resolves of yours*; *which I hope did abuse you*.

It must be agreed, that there were such *Resolves* published in print, as if passed by the Parliament; and complaint was thereof made in the House; but it was feared that the maine end was to divert the Proceedings of the House,

House from their way, rather then out of any zeale to the Honour of the House ; and that occasioned divers not to favour the motion so far , as to make any enquiry there-into.

But as touching that clause [*which (I hope) did abuse you*] I cannot in charity interpret it according to the letter, because its not Christianity to like of the abuse of any, much lesse of persons in such relation ; but do account the words a straine of Rhetorick, expressing his not beleiving it : And I know not how to expound it otherwise, considering the Protectors relation, whose place (as supreme Magistrate) might in such case warrant him to punish such offences done against the Parliament during their serious imployments in other matters (to the end that they might with more liberty serve their Country) rather then willingly to permit such Impositions.

Another charge is the *Debauching of the Army* : concerning which his words are, *Some very well known to you, have helped the debauching of the Army ; but I would be loath to say, they were any of your own number.* If they were none of the Members of the Parliament, to what purpose are these words added as increasing the heaviness of the Charge ? Its said, They are *very well known to the Parliament* ; who as so considered, know none but their Members, or persons of publick trust : But so long as these are not of the number of the Parliament, its lesse materiall to them ; and the rather, because its not charged upon them, that they did it intentionally.

P. g 15.

There's more of this kinde, that comes yet more nigh to the touch : *What if I am able to make it appear in fact, that some amongst you have run into the City of London, to perswade to Petitions and Addresses to you, for reversing your own Votes that you have passed ? And what if the Lord Protector be not able to make it appear ? What if he be mis-informed ? Why then its not in fact, but conceit ; and then these some are none.* But he saith, *Some amongst you ;* So was the Lord Protector then present, and the privie Councel, and divers strangers of every kinde of Interest. Who then in particular those *some* were, I cannot say ; but more then one may well remem^r

remember, That about the end of November, a report was of an information made to the Army, then about *London*, that the Parliament had passed Votes to reduce and disband the Souldiers, and take away their pay; and that Addresses were preparing by the Souldiers, to give a stop to such proceedings. But let that imputation light where it will, its a strange kinde of crimination, that blurres all in general, and yet charges none in particular; and therefore cannot be answered by any. The tongue of such a one may be true, and not his heart; he may not deceive the world in plaine words, yet upon a hint may wish with all his heart the world would deceive themselves.

The Parliament is not yet rendred sufficiently odious: the same pen therefore retires back againe to the former Charge, that it may fixe the same yet deeper; For having minded us againe of neglect of Settlement, it tells us, *There was a Government in the possession of the People, I say, A Government in the possession of the People.* A saying (question-Pag. 16.lesse) advised, and certainly true, otherwise it had not been doubled. The subject is the Government which the Parliament entered upon, ravelling into it; This (its said) is in the possession of the people. Stay there, Reader, till the matter be weighed: For either its intended, That the people hath the Government in their possession; or, That the Government hath the people in its possession; and either way its neither good, true, or reall. Its not *good* for the people either to possesse it, or be possessed by it: They have already, and long have had their Lawes, called *Be-na, approbate*, and *antiqua Leges*, to be their possession; of which they are not yet so weary, as to cast them away for that which they understand not, much lesse can desire or delight in.

Secondly, It is not *true*, that this Government is in the possession of the people: For how can any possession be of that Government, seeing the very imposing thereof without consent of the Parliament, doth destroy the Government in the main and fundamental principle thereof in *One and a Parliament*? Or how can it be in the possession of the people, and not in their power, but they to be overpowred of it?

Lastly,

Lastly, it cannot be *Reall*; for the Lawyers tell us, that to have a thing in possession, implies the good, and benefit thereof, to the use of him that hath it. Now, what benefit can there-out redound to the people, otherwise then as a prisoner may be said to possesse his prison, or chaines, or stocks wherein he is holden? which by Gods over-ruling hand, indeed may redound to his good; yet in any moral sense are said to be not really good. Neverthelessse, be it as it is; His Lordship saith, that *the Government hath been exercised neer fifteen Months*. The Government then hath rather been in the possession of the Protector, then the people; but how long? 'tis said neer fifteen Months; and that is neer two Months before the same was borne and brought forth: it was therefore an Actor while it was in the *Idea*, before it was made; and had the like influence in the notion, with it in the production: But let the prescription for fifteen Months be allowed, it might be upon a forcible entry. No, *the People willingly received it*, saith the Protector; although those that wish him well, do pity him: and his enemies rejoyce to see how he is abused with flattery and mis-information: and many believe that he deceives himself. For it cannot be imagined that the people are willing with what they understand not, and in the sense whereof not only the Parliament, but the privie Council could not agree amongst themselves.

The third excellency of this Government is, *That from it all Law and Justice is distributed*. No such matter; that cannot be the fountain of all Law and Justice in these Nations, that is neither Rule, nor in it self hath any power, and which may be altered or taken quite away, and yet Law and Justice distributed neverthelessse.

The fourth excellency is, that *its owned by God*: A bold Assertion, that must clothe this humane Law by consequence with a Divine right. How comes he to know this Ownership? Its said, as *being the dispensation of his Providence after twelve yeers War*. It seems then, all Gods dispensations of providence after twelve yeers war, do bear witness of Gods owning whatsoever is come to pass: but the Scripture tels us, that *no man knows love or hatred from all that is before him*; and experience brings forth daily many issues of permissive providence after these twelve yeers war, which God will not own,
nor

nor will the Protector agree thereto : for he knoweth that God commandeth some things to be done, and yet will require it as a sin from the doers, if they offend in the manner or end.

The last Excellency of this Government is, *That it is witnessed to by the People.* But they have done nothing that can witness this Government to be either Just or Good, their Obedience is done to the Power that is supreme, consisting with their Liberties ; let the form of Government be new or old, all is one as to that.

All hitherto have been but skirmishes, now comes the main Body to the push of the pike. *You might* (saith he) *have made* Pag. 17.
provision for settling of things in matters of Religion, as would uphold and countenance a godly Ministry, and yet give a just liberty to godly men of different judgments, of the same faith with them, as the Independents are, and those under the form of Baptism, who are sound in the faith. But nothing is done toward them ; but there is a strange itch upon mens spirits ; nothing will satisfie them, unlesse they can put their finger upon their brethrens conscience to pinch them there : What greater Pag. 18.
hypocrisie, then for those that were oppressed by the Bishops, to become greatest oppressors themselves?

A grievous charge upon God knows whom ; but such they are as were under the persecution by Bishops, which may be meant of all species of Protestants, or any of them, and such as call for Liberty now : and certainly the Parliament must needs be dangerously infected with these kind of men ; or else *Quorsum hac ?* What doth these conduce to the breaking up of the Parliament, which is the matter now in pursuit ? In this Charge the Method is first to shew what they should or might have done. 2. What they did not. 3. What they did. 4. The censure.

For the first, the summe is, *You might have provided for upholding and countenancing a godly Ministry, and also a just Liberty to godly men of different judgements ; viz. Independents, and those under the form of Baptism.*

First, As touching upholding and countenancing a godly Ministry, in order as aforesaid, which he saith, the Parliament might have done ; its true, they might have done just so much

as himself would like wel of, and not one tittle more; and how far that would have extended, the Government wil tell us, in the 26 and 27 Articles; and how far his good liking will extend to or beyond the Government, the daily practise will also shew.

Secondly, Its said, That *nothing hath been done*: it seems therefore, he hath had no notice of what hath been done; or else, if by that word *Done*, he intendeth *Perfected*, it will lye at his own door, who thought it not meet to allow the Parliament any longer time then the just five months to perfect what was in doing. But its urged, That *there is upon the spirits of men a strange itch, nothing will satisfie them, unless they can put their finger upon their brethrens consciences to pinch them there*. Who are these men that deal thus uncharitably? Hath the Parliament done this? If not, its not Christian like done to cast it in their way, when it concernes them not. If it be charged upon the Parliament as their proper fault, it is absolutely denied, that there was any Debate or Vote in the House tending to abridge the just Liberties of orthodox Independents, or those under the form of Baptism (as they are called) being otherwise Orthodox, or to stop them from the libertie of their consciences. Its not denied, but that there was Debate and some Votes in order to the punishment of one *Bidle*, who was committed by the Parliament for seducing into Heretical opinions, contrary to the blessed Trinity, and other Fundamentals, as by his two Books acknowledged by him doth appear. There were Motions also made against one *Akhurst*, for Blasphemies, but the fault being before the Council, many men thought it not so convenient for the Parliament to be troubled therewith in such a necessity of much businesse, and smal time. And if these be the pinches complained of, for which the Parliament must dissolve, Gods wil be done; nevertheless, as to these crimes, or shadowes of Crimes cast upon the Parliament, give mee leave to pity the condition of some professors, that wil take liberty to give credit to repores without examination of the truth, or rather fancie things themselves, tending to the wrong, not of one or two, but the Representative of the three whole Nations, and can or will have no friends nor Ministers, that will be faithful in such cases

Cases, to minde them of the issue. *The long Parliament* (saith he) *would have proceeded otherwise then this hath done, if it had this expedient offered.* That the long Parliament was more wise then this of late, may be true, and yet have given his Highnesse as little content as this hath done; for what ever is pretended in the Government, it cannot consist with a free Parliament, nor it with that: And therefore he could not allow of that Parliament that made him what he was, nor of that which he made what it was; nor of that last which neither made him, nor (though summoned by him,) was made by him; and yet it intended no hurt to his person, nor prejudice to his place, so farre as it judged, might be safe for the liberty of the People of *England*: and such measure as these have met with, must others expect to have, unlesse they will give up the peoples liberties to the will of the Protector, for the time being. But he doth assert that *there is in this Government a just Liberty to the People of God, and the just rights of the people in these three Nations provided for.* But more fully in his first speech, wherein speaking of this Government he saith, *It's Calculated for the interest of the people, for the interest of the people alone; and for their good, without respects had to any other interest. Let it speak for it selfe.* And for my own part, notwithstanding what hath been published in the discourse, entitled, *A True state of the Case of the Commonwealth, &c.* I say also, let it plead for it selfe but in these few perticulars, besides many others.

1. The Government so highly extolled, is founded in the union of three Parliaments, of *England*, *Scotland*, and *Ireland* into one Parliament, allowing 30. out of *Scotland*, and 30. out of *Ireland* to vote in this Parliament, and constituting 60. to be a Parliament for the three Nations. And thus there is a Coordinacy of Legislative Power in these three Nations, over each other; and if it will please the Protector to list the Parliament at any time, as he did the long Parliament, and this last Parliament, by the late recognition. May not the Protector, and the two Nations of *Scotland*, and *Ireland*, give a law to *England*, or *England* alone give a law to them both; or 60. of them all, give a law to all? And are the liberties of these Countries preserved herein? judg you.

2. By the 21. Article a Council constituted by the Protector, or such of them as he shall call to council, have a power to determine the qualification of all, or any Members or Member

of Parliament without which, such are not capable to sit as Members of Parliament. Are not these trustees then to the Protector and his Council? or are they trustees to the people, on whom there liberties in case of difference concerning prerogative may be safely trusted? It's past all doubt that *England* was never so incumbered in their elections, nor would the Law suffer it; it being contrary to all reason; that hereby the Protector, for the time being, should be enabled to frame a Parliament suitable to his own ends, be they never so unjustifiable.

3 By the 24 Article, no Bills shall be admitted to be Laws, if they contain any thing contrary to the matters contained in that Government, without the Lord Protectors consent. So as all the matters in that Government are of such perfection, as they must binde *Semper*; and *ad semper*. No Law must cross that without the Protectors consent; So as he being made the Judge, no Law can pass without his cognisance; nor then also, unless the Protector shall declare, that they are not contrary to the matters contained in the Government: and thus becometh he sworn not to pass those just Laws *quas Vulgus eligerit*, which the people shall chuse.

4 As touching the *Militia* and Forces, they are in the intervals of Parliament wholly at the order of the Protector and Council, who are the birth of each other by Election; and these have the power of *War* and *Peace* without limitation: And so they have the power of making Laws for *War* and *Peace*: and thus every mans person and estate, as to war and peace, is out of the power of the people.

5 The Protector and the Council have power to make Lawes for raising of money till the next Parliament, and to make Laws for the peace and welfare of these Nations, til the Parliament shall take further order: so as if no Parliament be called; or if called, yet no assent of the Protector be to any Act, under colour that they are against the matters in the Government, then is this power outstretched *sine die*; and so, in stead of a perpetual Representative, we have a Protector with a perpetual Legislative power.

6 The charge of maintaining 30000 men imposed upon the people for ever, without the peoples consent, and the manner of raising of money for them fixed unalterably (without the Protectors consent): and so the people have a great kindnesse done to them, they have the burthen laid upon their shoulders against their wils, and not to be removed til the Protector pleases.

7. As

7 As touching *Religion*, 1. All persons are allowed to live above, or without Ordinances, if they will. 2. Any man may maintain; hold forth, and publish any hereticall opinion that he shal please, and seduce others into the same, and be tolerated therein; and this they call Christian Liberty. But let the constituted frame of this Common-wealth be considered as its consisting of a company of Christians; and it wil be evident, that the excellency thereof cannot be maintained, unless Christianity be also maintained. And seeing all mens hearts by nature tend only to evil, it will by natural consequence issue therefrom, that if the Ordinances be not maintained in honour, and if the Doctrine be not kept free from mixture with heresies and blasphemy; its the only calm and sure way of destroying the very Christianity of these Nations, under colour of a Law to maintain this kind of liberty of conscience. When iniquity is thus framed by a Law, *God help, for man cannot.*

Its said, that it *would be huge friendliness for the Parliament to* Pag. 20.
have convinced his Highness of the errors therein. In that he was not convinced by the Parliament, the ground must rest upon want of friends and faithful Councillors, some of whom, if not all of them did well know, that the whole product of all the Parliaments Resolves were ready to present to his Highnesse, in order to a mutual conference; or it was in himself, that liked not any such course, nor would indure that the same should be presented as a Bill passed by the House, lest there should be a Record in the House thereof, and so there should be a Parliament Government counterfacing the former Government; here's the bowels of the matter: He holds forth seeming willingness to be convinced, but is already resolved not to waive the Government the Officers of the Army with the help of some others, with himself, hath agreed upon, and Himself hath sworn: because its a dishonourable thing for them to be imposed upon, and not impose upon the people. For its said further, *But in stead thereof (viz. the Government) your time* Pag. 21.
has been spent in setting up somewhat else upon another bottom then this stands, that looks like laying grounds of a Quarrell. So that this is the sore that hath rankled inwardly all this while, and never brake forth till after five months ripening. The peoples Government must bottome anew, for the old one shall serve no longer. The question then is, What this *Bottome* is? If it be the Bottome set down in the Government, it is *One and a Parliament.*
 And

And if his Highness will take notice of what is done in Parliament before it be orderly delivered to him from the Parliament, as he hath taken notice that the *Bottom* is different from that which the Government stands upon, he will find in it that *somewhat* is upon the same *Bottom*. But if the *Bottom* be somewhat not set downe in the Government, I suppose it will prove like the notion of *Non Causa pro causa*. And if the Oath taken by his Highness may be rested upon, this bottom will be this, *The major part of a Parliament (which was no Representative of the People) after dissolution of their Assembly, do every one apart subscribe an Instrument of Resignation of what Powers and Authorities they then severally had, unto one who doth impose a Government upon the People, which was framed and brought to him by persons unknown to the people, and by him sworn unto.* Now if this manner of the Original of this Government, and imposing thereof be the *Bottom*, and that the people shall have no other Government but thus framed and imposed, without their knowledg and consent first had, I suppose the world will judg that this *Bottom* is not worth the quarrelling for: seeing its well known that the People of *England* were formerly a free people, and ever had their Votes in the making of their own Lawes, and its hoped have not as yet lost their freedom.

Pag. 21, 22 But it is intimated, that there can be no hurt in the Peoples submitting to this bottom; For if the Trustees by experience find any evil in any parts (of the Government) referred by the Government to the consideration of the Protector and Parliament, doubtlesse that the Protector for the time being, will not agree to alter, its past imagination. This is the sum of many more words, and concerning it (to speak plainly) it was past imagination, till now by experience it is found too true, That a General of the Army, raised, commissioned and intrusted by the People, he also professing Religion, beyond the ordinary sort of Professors, having only by Commission a bare Military Power beyond all other men, should undertake a supreme Power and Authority in Matters Civill as well as Military, take away the Peoples Liberties, and adventure a Quarrel with the People, rather then let them enjoy their owne: I say again, this was beyond imagination, and by this first act may be conjectured what future Protectors will or may do, though now it may be past the Protectors imagination, that they will deny to agree to remedy that evil that shall be found. Neverthelesse, as doubtlesse

doubtless the words were well weighed when they were written & spoken; so the Reader must weigh them wel, or he may wonder why then this last Parliament might not alter the evil that is found in that Government. To this the words will answer; *It is such an evil as must be referred to them by the Government.* So as either the things not referred are so good and necessary as nothing can be more, or else they also should be alterable, or otherwise they are a necessary evil. And this is not all, for, *the evil must be found by experience:* Common sense and reason of Parliament must not do the work before they learne from experience; and therefore this Parliament must first submit to it, and must not undertake to mend the evil for want of experience; but future Parliaments may, *For time it self will be the best discoverer,* as he saith; so as the Parliament must first break the peoples head, and then the people must come to the Protector for the time being, for a plaister, who it cannot be imagined will refuse to agree to alter any thing that may be found to be for the good of the people.

Although for the present the keeping up, and having in his power the Militia seems the most hard, yet if it should be yeilded up at such a time as this, what would become of all? His present apprehensions it seems kicks against what he formerly said; all then was for the people, and no interest besides; now the Militia is acknowledged to be in the Protector for a season, and upon good ground, *viz.* To maintain the Cause that otherwise he concludes would be given up. But he may please to remember, the Cause which he speaks of was gained whiles the Militia was in the Peoples hands, and may they not be trusted with the Militia for the maintaining of that Cause? His Highness is full of faith whiles the Militia is in his hands, concluding that the Cause is a *Rock upon which whoever splits, shall suff'r shipwrack.* But if the people have the Militia what shal become of all? What? Nothing but well, the people are more concerned in it then all the Protectors and Privy Council that are or ever shall be, can be. God is interested in the work so long as the Cause is his, and he hath any amongst the people in covenant with him. But I think the world will not be deceived; for so long as the Souldiers are possessed of the Scepter, they neither will, nor can trust people or Parliament; and the reason is evident, because, though the Protector be elected by the people, yet the Souldiers or servants, they are by usurpation become Masters of the people:

people: and being conscious of injustice done to them, how can they adventure their cause; which is by them called, The Cause?

In the next place he produceth the grounds of stating the Militia in manner as in the Government; and (as its noted of the Mermaid) his first ground is beautiful; its but a temporary Power; its but for *such a time as this*; but all the grounds subsequent are of an everlasting nature; for if the Militia should be yeilded,

Page. 22. *It determines the Protectors Power of doing that good he ought.* If every man might have as much power as he might imploy in doing good, the world would be soon undone. If the Protector hath not the Militia, its said, *he cannot do the good he ought*; no, nor do the hurt he would. God foresaw this, when he commanded concerning a King of *Israel*, that he should not multiply horses to himself, lest he should bring the people into Egyptian Bondage. But what is this good? *Hindring of perpetuity of Parliaments.* Yes, and the calling and sitting of Parliaments also: But it will not hinder the sitting of Parliaments. There needs not this trouble to keep Parliaments from perpetuating themselves. A Protector alone can make a Parliament weary with sitting five months. His Highness formerly thought that the long Parliament had a design to perpetuate themselves, now he thinks in his conscience they would have continued no longer then til such an expedient as this had been offered: and if I may speak my opinion, I do think, if they had known thereof they would not have continued so long.

A second good of the Protectors holding the Militia is, *Hindring Parliaments from imposing what Religion they please upon the consciences of men.* So as the Protector for the time being shall be sole Judg in matters of Religion, to distribute to any man liberty of conscience, to get into pulpits when they please, preach what they think, and think what they list; and for others, liberty of conscience to submit to no ordinance, nor know no God, provided they will live quietly: and unto these three Nations liberty of conscience to be at length without Church or Religion. Is this liberty? I speak to wise Christians, judg you what I say.

The third good of the Protectors holding the Militia is, *the hindring the Parliament from imposing what Government they please upon the Nation.* That is, the Protector for the time being, will look to maintain his own stake, and the government so constituted, and no other. He may impose a Government, but the Parliament

liament must not. These Parliaments are dangerous Beasts for England to deal with; a wonder it is they have continued so long, having changed the Government so often. Its true, there have been changes of late, but the end hath been to raise up this excellent frame of Government: and therefore if men and times be considered and compared, it wil easily appear whence these changes come.

But what if he should say, if there should be a dis-equality or disproportion as to the Power; it is on the other hand. Then would I crave leave to say his own words, Would he had made the people to happy as to let them know his grounds. Pag. 23

In the next place, the Parliament is arraigned of inexorable-ness; *I would (saith he) have wished it had been in your hearts, to have agreed that some friendly and cordial debates might have been towards mutual conviction: such things have been proposed and rejected with stiffness and severity.* Pag. 23.

It seems his Lordship can take notice of some passages with the manner in stiffness and severity, without infringing the priviledges of Parliament, if they can any way make for his purpose; and it satisfies me he hath not more to say against it then hee hath. And this now charged must be acknowledged, that such a thing was propounded once some while before the Parliament ended, and at another time, I think the last day but one of their sitting of the Parliament, and it was both times upon full and mild Debate concluded in the Negative; amongst other reasons, these that follow did give satisfaction to some therein.

1. The issue of such Debates could be no other then the spending of time, and hindring of determining the debates of the House, which was verily believed to be aimed at by some who were disaffected with the proceedings.

2. Although application had been twice made by the Parliament to the Protector, one concerning Religion, the other concerning the Militia, and therein attendance more then hath been used to any of the Kings of this Land; yet the issue was nothing but this, as to that of Religion, *He would see the whole before him, he liked not to determine by parcels, or so that effect.* And as to the Militia, he agreed to demolish some few Garrisons, but could not allow disbanding of any Soldiers in England, or Scotland, nor in Ireland, till he heard further from thence.

3. The

3. The Parliament could not make any application for satisfaction from without doors, till they first had determined their own sense within; nor did they orderly know, or could take notice of any difference between the Protector and them; for although they had heard some Reports concerning it, yet divers of the Privy Council plainly said, that they understood not his Lordships resolves.

4. The Proposals made in the House of such mutual conference, was made by some Members, but not as by any direction from the Protector, nor had the House reason to apprehend it as his Highness's sense, considering what answer they formerly had, as to the matter concerning Religion.

5. And lastly, although the House had compleated their Resolves, yet being themselves satisfied, they had no cause first to complain, nor desire mutual conference, till exceptions were taken to what was done after due presenting of the same to the Protector. And therefore I know not what hidden fate (if I may adventure such a word) betided the Parliament, that so many particulars from time to time should be revealed to the L. Protector, who prayed to

Pag. 7. *God for a blessing upon the Parliament; And did think it to be his business to see the utmost issue, and what God would produce by the Parliament, rather than unseasonably to intermeddle with them; And yet that for want of information in the main point of all, he should dissolve the Parliament just when the work was in the birth, and not to stay one hour longer to see the issue, what God would produce. But (to use his Lordships own words) if it be thus, its well*

Pag. 21. *our labours have not arrived to any maturity at all. Its much better his Highness should take up this Government where hee finds it, then the Parliament should agree it him.*

By way of justifying his desire of mutual conference or cordial debate, he further saith, That he would not be averse to any alteration upon conviction, although he could not have agreed to the taking it off the Foundation on which it stands; viz. the acceptation and consent of the people. Then belike he can allow of altering any thing that is upon the foundation: so as now it seems his Negatives are not so dear to him, but if the people will allow of the change, he is willing. How glad have we all cause to be, that at length the foundation of the Government is the acceptation and consent of the people? none but those that are acquainted with the *Artana Imperii*, can tell when, where, and how this consent should be gained. If it

was before it was sworn, it was before it was known. If it were at the time of the swearing, it was before it was understood, and only by those that heard it, and understood it, which were very few; and of them that liked it, there were yet fewer. If it was after the Oath, it was too late to be a foundation of that which was formerly asserted by the very Oath it self.

After Digressions from the charging of the Parliament, to Apologies for his present and future undertakings, wherewith I have not to intermeddle, but shall endeavor within my station to maintain peace, and shall leave them to the Lord and Governour of the world. I say, after nine or ten leaves spent therein, he returns to his last charge against the Parliament. *You have laboured to overthrow the Government: and the Army is now upon free-quarter, and you would never so much as let me hear a little from you concerning it; Where is the fault? has it not been as if you had a purpose to put this extremity upon us and the Nation.* Three charges laid upon the Parliaments account, all of great weight. First, they here labored to overthrow the Government. Secondly, the Army is upon free-quarter. Thirdly, The Parliament hath purposely put this extremity upon the Nation.

The first of these, concerning the Government is, *That the Parliament hath laboured to overthrow it.* How can that be objected, when he knoweth not what the Parliament hath been doing? whether they have been alive or dead? himselfe acknowledgeth there are things alterable upon conviction, and that he is willing to agree to any alteration upon conviction, so that the Government be not taken off the Foundation, which is the consent of the people; and in order thereunto the Parliament hath imployed their labor in examining the particulars thereof; Is this an overthrowing of it? Doth the purging of the body from ill humors, overthrow the body? The Parliament never intended to unbottom any Government from the peoples consent, but to fix it thereupon. If he taketh the Government to be in every particular fixed upon the peoples consent, doth not he consent to overthrow the Government, when as he is willing to alter any thing upon conviction?

Secondly, concerning free-quarter: the Act for Assessment was ready to be presented to him, for the first payment (as I remember) to be in Febr. and I suppose the payment had been as soon within the time charged as was wont to be: and why the soldier should be

upon free quarter upon the 22. of Jan. in this three months pay rather then in former times, is not easily understood; unless some design were to render the Parliament odious to the people; and as to the great arrears of 30. weekes to the soldiers (I think) the people may well say its not their default, they seele that they have paid their Assesments: if the soldiers be kept in arrears to make them depend, as is used elsewhere; the Parliament is not to be accountable for that. If then such an act was prepared, and not one title thereof was mentioned to the Protector (by those that it seemes could mention and misreport other matters) its to be imputed to a providence, and therein the matter must rest. But this may be certainly said, that divers in the House heard that the Protector knew thereof, and excepted against the smallnesse of the summe of 60000*l.* *per mensem.* But if no such act had been made, the Parliament did towards their latter time of sitting (and after the assesment was agreed) understand by good information (as they conceived) that the Excise, and Customes and other profits, was a sufficient revenue to defray the charge of the forces, both by sea, and land; such as should be necessary according to the Government; and if they had continued the assesment for longer time then for the three months of *January, February, and March*, instant; it had been, I believe for, the payment of publick debts, and not for the soldiers. And therefore the necessitie of free quarter doth not yet appear.

3. As to the third Charge, and worst of all, *That the Parliament hath purposely put this extremity upon the Nation.* I must say as formerly, the act was ready, I believe it was known so to be; but whether through the smallnesse of the summe, or that it was delayed from presenting to the Protector, till it might be delivered to the Protector together with the Bill concerning the Government, or what other matter was the cause, I know not; but the Protector I think doth know why he declared the Parliament to be dissolved just at that time. Yet this is not so heavy as that which followes; that this was *purposely to put the Nation into extremity*: And thus the Parliament or Trustees sent up to provide a Remedy for Grievances intend extremities upon the Nation, and so themselves become the greatest grievance of all. In answer whereof, I dare not undertake to determine

mine the purpose of the Parliament, none but the Parliament it self can do that, and it being now dissolved, I can only say, I know the particular members, and believe most of them to be peaceably and religiously affected, and far unworthy of such imputation; Only there was great care taken how to preserve the peoples liberties (as it was supposed there was great cause) and it was supposed that a temporary suspending of that care might have led a way to an absolute rejection of the same. For though (as the Protector saith) a man will not take his liberty of pleasure when his house is on fire; yet if he shall resolve upon a temporary suspension of his care for his house in such exigencie; he may well expect to see his house burnt down before his time of suspension be overpast. pag. 35

I shall conclude all with two things, the one a request to the reader, that this Representation, framed in a short and plaine manner for all capacities, as I could, may be accepted not as the sense of the Parliament, which no single member may undertake, much lesse the meanest of them all; but as of one that doth desire to uphold the honour and good opinion of Parliaments among the people of these Nations as much as he can.

The other an humble petition to his Highness the Lord Protector, if it may appear before him, that he will seriously consider the nature of the Government yet further, comparing the first principle of One and a Parliament, with the meanes or other particulars therein contained; I may say with some confidence, that the general sort of the people in these Nations, will much respect the Government by *One and a Parliament*: but as to the perpetual maintaining of standing Forces, and a Captain General in order to maintaining of *One and a Parliament*, (as it is propounded in the Government to be part of a *Magna Charta*, or a standing Rule) it's absolutely destructive thereunto, unless the forces can be ordered as at the first they were, viz. Both the Commander in chiefe, and the army alwaies under the order of the Parliament. For no Body aggregate sooner breeds confusion then an Armie, where the Commander commonly is without rule, or established Law. And if such Contests do already arise, when as the Commanders of the Army hold forth the rule of conscience, what other Government can be expected in future ages, when Commanders shall have neither Law, nor conscience, nor other

other rule but that of the Turks or Mahmalukes, even their own wills, which I leave to the consideration of his Highnesse, and those Commanders who hold themselves obliged to maintain the liberty of their posterity, and Country in future ages. But if the people may not have so much credit with his Highnesse, as to provide for thir own Happinesse, it were a work of charity (in this posture of affaires) never to call the Representative of the people any more, nor put them to the temptation of being parties to the ruin of their own Liberties, what ever imbasement they shal be brought unto by an over-ruling power. Otherwise, to suppose that any one shall be able to bestride a continual Army and the Representative of the people at once, and keep them in Coordinacy for the publick good, is a meer Notion that will bring forth nothing but winde and confusion, and rack asunder the joynts of any mortal man in the conclusion. This is the Humble opinion of him that Prayeth for the Peace of Hierusalem, and the prosperity of all that love it.

Quem das finem Rex Magne Laborum?

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yoll fure I am the will come out all last
truth will out words will be made known
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